

The learned counsel for the complainant files memo along with original cheque and endorsement.

Complainant is present and files his affidavit in lieu of sworn statement and examined as PW 1. Ex.P1, Ex.P1(a), Ex.P. 2 to 8 are got marked.

Heard the learned counsel for the complainant on complaint.

The complainant has filed this complaint against the accused for the offence punishable U/Sec.138 of NI Act. The complainant has filed his affidavit in lieu of sworn statement and examined as PW.1. Ex.P.1, Ex.P.1(a) and Ex.P.2 to 8 are got marked in present case.

On perusal of the materials placed on record it appears that the complainant has complied the mandatory requirements to constitute an offence punishable U/Sec.138 of N.I. Act and there are sufficient materials to proceed against the accused for the said offence. Hence, following the guidelines issued by the Hon'ble Supreme Court of India in the decision reported in (2014) SCC 590 (India Bank Association and others Vs Union of India and others), I proceed to pass the following :

ORDER

Cognizance for the offence punishable Under Section 138 of N.I Act is taken.

Office is hereby directed to register the case in Reg. No.III as criminal case and issue summons to the accused through RPAD as well as court process for appearance of the accused before the court and office is directed to send copy of the sworn statement along with documents to the accused.

The complainant shall furnish the email id of the accused or mobile number of the accused person in which whatsapp is available to serve the summons on the accused expeditiously and shall furnish requisite postal charges and PF.

Prl. Civil Judge & JMFC.,
Hassan.